

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 15-1849

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Phillip Dewayne Stewart

*Plaintiff - Appellant*

v.

A. Murphy, Doctor, Ouachita River Unit and CCS Medical; Ray Hobbs, Director, Arkansas Department of Correction; D R Young, Infirmary Manager, Ouachita River Unit, ADC; Kimberly Kellogg, Nurse, Ouachita River Unit, ADC; Reta Douglas, Nurse, Ouachita River Unit, ADC

*Defendants - Appellees*

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Appeal from United States District Court  
for the Western District of Arkansas - Hot Springs

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Submitted: November 4, 2015  
Filed: November 9, 2015  
[Unpublished]

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Before SMITH, COLLOTON, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Arkansas inmate Phillip Dewayne Stewart appeals the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 action, for failure to state a claim upon which relief may be granted, and on the basis of sovereign immunity. After careful de novo review, we conclude that Stewart's complaint was properly dismissed. See McAdams v. McCord, 584 F.3d 1111, 1113 (8th Cir. 2009) (standard of review); Trevelen v. Univ. of Minn., 73 F.3d 816, 818 (8th Cir. 1996) (sovereign immunity). Accordingly, we affirm. See 8th Cir. R. 47B. We also deny Stewart's motion for appointed counsel.

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<sup>1</sup>The Honorable Robert T. Dawson, United States District Judge for the Western District of Arkansas, adopting the report and recommendations of the Honorable Mark E. Ford, United States Magistrate Judge for the Western District of Arkansas.